

REMARKS

Claims 1, 3-6 and 8-13 are pending in the application. In the Office Action of March 11, 2004, the Examiner made the following disposition:

- A.) Rejected claims 1, 3-6 and 8-11 under 35 U.S.C. §103(a) as being unpatentable over *Kato* (JP 10-040395) in view of *Ogura* (U.S. 6,343,099).
- B.) Rejected claims 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over *Kato* in view of *Ogura* and further in view of *Ito et al.* (U.S. 5,966,141).
- C.) Rejected claims 1, 3-6 and 8-11 under 35 U.S.C. §103(a) as being unpatentable over *Kato* (JP 10-040395) in view of *Matsugu et al.* (U.S. 6,453,069).
- D.) Rejected claims 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over *Kato* in view of *Matsugu* and further in view of *Ito et al.*

Applicants respectfully traverse the rejections and address the Examiner's disposition below.

- A.) Rejection of claims 1, 3-6 and 8-11 under 35 U.S.C. §103(a) as being unpatentable over *Kato* (JP 10-040395) in view of *Ogura* (U.S. 6,343,099):

Applicants respectfully disagree with the rejection.

Applicants' independent claims 1, 6 and 11 each claim generating, from a correspondence point identified on a curve in a first frame, a curve in a second frame. The curve in the first frame relates to an extracted feature in the first frame. A correspondence point in the second frame is determined corresponding to the correspondence point identified in the first frame. A curve in the second frame is generated passing through the correspondence point in the second frame, wherein the curve in the second frame represents an outline of the extracted feature in the second frame. A picture image pursuit of the correspondence point identified on the curve in the first frame is used to determine the correspondence point in the second frame by determining analogousness between a first image portion including the correspondence point identified in the first frame and a second image portion including the correspondence point in the second frame by determining an absolute value sum of differences of respective pixel values within the first image portion and the second image portion. (See, specification, page 16, lines 3-18; Figure 7).

As acknowledged by the Examiner, *Kato* fails to disclose determining analogousness as claimed. Therefore, the Examiner combines *Kato* with *Ogura* in an attempt to disclose or suggest claims 1, 6 and 11, however, Applicants respectfully submit that *Ogura* is not a proper 35 U.S.C. §103(a) reference. The present application and *Ogura* (U.S. 6,343,099) were, at the time the invention of the present application was made, owned by Sony Corporation or subject to an

obligation of assignment to Sony Corporation. Therefore, *Ogura* cannot be used as a reference in a 35 U.S.C. §103(a) rejection against the present application.

Accordingly, *Kato* in view of *Ogura* fails to disclose or suggest claims 1, 6 and 11.

Claims 3-5 and 8-10 depend directly or indirectly from claims 1 or 6 and are therefore allowable for at least the same reasons that claims 1 and 6 are allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

B.) Rejection of claims 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over *Kato* in view of *Ogura* and further in view of *Ito et al.* (U.S. 5,966,141):

Applicants respectfully disagree with the rejection.

Independent claims 1 and 6 are allowable over *Kato* in view of *Ogura* as discussed above. *Ito* still fails to disclose or suggest Applicants' claimed determination of analogousness. Therefore, *Kato* in view of *Ogura* and further in view of *Ito* still fails to disclose or suggest claims 1 and 6.

Claims 12 and 13 depend directly or indirectly from claims 1 or 6 and are therefore allowable for at least the same reasons that claims 1 and 6 are allowable.

C.) Rejection of claims 1, 3-6 and 8-11 under 35 U.S.C. §103(a) as being unpatentable over *Kato* (JP 10-040395) in view of *Matsugu et al.* (U.S. 6,453,069):

Applicants respectfully disagree with the rejection.

Applicants' independent claims 1, 6 and 11 each claim generating, from a correspondence point identified on a curve in a first frame, a curve in a second frame. The curve in the first frame relates to an extracted feature in the first frame. A correspondence point in the second frame is determined corresponding to the correspondence point identified in the first frame. A curve in the second frame is generated passing through the correspondence point in the second frame, wherein the curve in the second frame represents an outline of the extracted feature in the second frame. A picture image pursuit of the correspondence point identified on the curve in the first frame is used to determine the correspondence point in the second frame by determining analogousness between a first image portion including the correspondence point identified in the first frame and a second image portion including the correspondence point in the second frame by determining an absolute value sum of differences of respective pixel values within the first image portion and the second image portion. (See, specification, page 16, lines 3-18; Figure 7).

As acknowledged by the Examiner, *Kato* fails to disclose determining analogousness as claimed. Therefore, the Examiner combines *Kato* with *Matsugu* in an attempt to disclose or suggest claims 1, 6 and 11, however, Applicants respectfully submit that *Kato* in view of *Matsugu* still fails to disclose or suggest claims 1, 6 and 11. The Examiner cites *Matsugu* col. 26, line 56 - col. 27, line 23 as teaching region matching. That passage from *Matsugu* teaches methods for determining similarity between a size-converted standard model image and target image. (Col. 26, lines 29-34). In other words, *Matsugu* attempts to find as close a match as possible between a standard image (e.g., an image from a library) and a target image by comparing the images. Once a standard image is found that is close to the target image, *Matsugu* attempts to make the colors of the images as close as possible by calculating RGB value differences between the standard image and the target image.

Therefore, Applicants respectfully submit that *Matsugu* is clearly unrelated to claims 1, 6 and 11. *Matsugu* merely tries to find a standard image that matches a target image and then normalizes their colors. This is clearly unrelated to Applicants' claims 1, 6 and 11 which generate curves in second frames based on curves in first frames. Further, Applicants respectfully submit that one having skill in the art would not have been motivated to combine *Matsugu's* methods for finding matching images with *Kato's* method for extracting the outline of an image, because their respective methods relate to different subject matter. *Matsugu* relates to finding matching images, while *Kato* relates to finding the outline of an image. Accordingly, as one having skill in the art would not have been motivated to combine *Kato* and *Matsugu*, *Kato* in view of *Matsugu* fails to disclose or suggest claims 1, 6 and 11.

Accordingly, *Kato* in view of *Matsugu* fails to disclose or suggest claims 1, 6 and 11.

Claims 3-5 and 8-10 depend directly or indirectly from claims 1 or 6 and are therefore allowable for at least the same reasons that claims 1 and 6 are allowable.

Applicants respectfully submit the rejection has been overcome and request that it be withdrawn.

D.) Rejection of claims 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over *Kato* in view of *Matsugu* and further in view of *Ito et al.*:

Applicants respectfully disagree with the rejection.

Independent claims 1 and 6 are allowable over *Kato* in view of *Matsugu* as discussed above. *Ito* still fails to disclose or suggest Applicants' claimed determination of analogousness. Therefore, *Kato* in view of *Matsugu* and further in view of *Ito* still fails to disclose or suggest

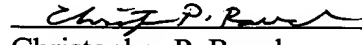
claims 1 and 6.

Claims 12 and 13 depend directly or indirectly from claims 1 or 6 and are therefore allowable for at least the same reasons that claims 1 and 6 are allowable.

CONCLUSION

In view of the foregoing, it is submitted that claims 1, 3-6 and 8-13 are patentable. It is therefore submitted that the application is in condition for allowance. Notice to that effect is respectfully requested.

Respectfully submitted,

 (Reg. No. 45,034)
Christopher P. Rauch
SONNENSCHNEIN, NATH & ROSENTHAL LLP
P.O. Box #061080
Wacker Drive Station - Sears Tower
Chicago, IL 60606-1080
Telephone 312/876-2606
Customer #26263
Attorneys for Applicant(s)

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I hereby certify that this correspondence is being deposited as First Class Mail in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on August 11, 2004.

Christopher P. Rauch (Reg. No. 45,034)
Christopher P. Rauch